



**LEON COUNTY
GROWTH AND ENVIRONMENTAL MANAGEMENT
DEVELOPMENT REVIEW COMMITTEE STAFF REPORT**

DATE OF DRC MEETING: Septemeber 21, 2005

STAFF RECOMMENDATION: *APPROVAL WITH CONDITIONS*

PROJECT NAME: **Jordan' Pass Subdivision (LSP050029)**

OWNER: Monte Cristo of Tallahassee, Inc.
**2811 E. Industrial Plaza Drive
Tallahassee, FL 32303
(850) 514-1000**

APPLICANT: Same

APPLICANT'S AGENT: Synergy Design & Engineering, Inc.
**2811 E. Industrial Plaza Drive
Tallahassee, FL 32303**

PROJECT SUMMARY:

This project is for a proposed 198 lot single family attached and detached residential subdivision. The site is located on the east side of Barineau Road (Minor Collector), approximately 0.60 miles south of US 90 West. The parcel is zoned R-3 (Single-and Two-Family Residential District) and lies in the Mixed Use-A Future Land Use category. The project is located in Section 25, Township 1N, Range 2W. The proposed subdivision will be public with streets and stormwater to be owned and maintained by Leon County.

Utility Service Plan Electricity, water and sewer will be provided by the City of Tallahassee.

DATE OF PRE-APP: December 1, 2004

DATE OF TECHNICAL
STAFF REVIEW: May 11, 2005

STAFF PLANNER: Scott Brockmeier, Planner II

TAX ID#: 22-36-20-002-000-0

PARCEL SIZE: 44.77 acres +/-

LOCATION: The property is located on the east side of Barineau Road approximately 0.60 miles south of US 90 in Section 25, Township 1N, Range 2W.

TYPE REVIEW: Type "C" Technical Review (Section 10-1479.1)

ACCESS: Barineau Road (Public, Minor Collector Road)

ZONING DISTRICT: R-3; Single-and Two-Family Residential District;
Section 10-1216;

FUTURE LAND USE: MU-A (Comprehensive Plan, Future Land Use Element, pg. I-
14-15)

INSIDE/OUTSIDE
URBAN SERVICES AREA: Inside

ZONING PATTERN: North: R-3
South: R-1, CSX Railroad
East: R-3 & M-1, Mitchell Brothers
West: R-3, Barineau Road

ADJOINING EXISTING
LAND USES: North: Single family residential
East: Single family residential & MH/light industrial
(concrete)
West: Vacant (Barineau Road)
South: Single family residential (CSX)

PERMITTED USE
VERIFICATION: VC-040127 revised 11/09/2004

Site Plan and Subdivision Review Criteria: Type "C" site and development plans are subject to approval by the Leon County Board of County Commissioners (LCBCC). In deciding whether to recommend approval, approval with conditions, or denial of a site plan, the Development Review Committee shall determine pursuant to Section 10-1479.1 and Section 10-852.2.C.(4), Type "C" Review:

- (a) *Consistency with the Comprehensive Plan.*
- (b) *Whether the design standards and requirements set forth in the Subdivision and Site and Development Plan regulations have been met (Article XI);*
- (c) *Whether the applicable criteria of the Environmental Management Act have been met (Article VII);*
- (d) *Whether the standards and requirements of the zoning code have been met (Article X); and*
- (e) *Whether the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met (Articles XII, Article VI, Article XIII, Article XIV, Article XV, Article XVII, if applicable, Article XVIII)*

Growth and Environmental Management Staff Findings: The staff is generally responsible for reviewing site plan application to ensure that the application meets the applicable requirements set forth in the Zoning, Site Plan, and Subdivision Regulations (Chapter 10 of the Leon County Code of Laws).

Pursuant to the review criteria identified in Section 10-1479.1, Type "C" Review, the Growth and Environmental Management Department findings are as follows:

Comprehensive Plan issues and specific applicable policies:

Future Land Use Element:

Environmental Overlays

Conservation – These areas, when present, require special considerations for development due to significant environmental constraints. The conservation category includes altered floodplains, floodways and wetlands, altered watercourses and improved elements of the primary drainage system, closed basins, grade areas (10%-20%), high quality successional forests, areas exhibiting active karst features and designated canopy roads. Best management and design standards are required in potential development in order to ensure continued functioning of the ecosystem. Assessed impact upon natural resource determines density and/or intensity within a prescribed range within which the parcel is located. Planned development is required for approval. Strict performance requirements will be provided.

Finding #1: The referenced parcel contains areas wetlands, significant grade areas, watercourses and floodplains which, according to the site plan, are proposed to be protected in conservation easements.

Preservation - Preservation areas are those which would be severely impacted by development. These areas include wetlands, water bodies, natural watercourses, severe grades over 20%, native forests, undisturbed/undeveloped 100 year floodplain, as well as areas of exceptional environmental significance and habitat of threatened and endangered species or species of special concern. Alteration due to development would result in destruction or severe degradation of the natural resource function. As a result, these areas are unsuitable for all but extremely low density development for one or more of the following reasons:

1. To prevent degradation of water quality.
2. To prevent degradation of freshwater storage capabilities.
3. To prevent the degradation of biological productivity.
4. To prevent damage to property and loss of life due to flooding.
5. To prevent degradation of the viability and diversity of native plants and animals and their habitats.
6. To assure the conservation of irretrievable or irreversible resources.

Finding #2: The referenced parcel contains species of concern (gopher tortoise), severe slopes, watercourses, water bodies and wetlands. These features must be protected in compliance with the applicable provisions of the Conservation Element of the Comprehensive Plan. See comments from the Environmental Compliance.

Objective 1.1 [L]:

Direct development to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and the service capacity to accommodate growth in an environmentally acceptable manner.

Finding #3: The request for a 198-lot residential subdivision has sufficient capacity on the applicable roadways. The site is located inside the Urban Services Area (USA). Central sanitary sewer and central water is available to the site. Sewer will be connected through a 6" main to the north (adjacent to Poplar Ridge S/D). The development will tie into an existing water main 300 feet north of the site on Barineau Road. Conservation/Preservation areas must be adequately protected in conservation easements. The project site is located approximately 2 1/2 miles west of Capital Circle N.W.

Policy 1.1.8[L]:

Compliance with the Conservation Element shall be met prior to consideration of requirements in the Land Use Element.

Finding #4: Compliance with the Conservation Element has been met. The applicant has obtained and approved Natural Features Inventory (NFI) and Environmental Impact Analysis (EIA).

Development in Relation to Environmental Constraints

Objective 1.2[L]:

Coordinate the location of land uses with local soil conditions and topography, as well as, available services.

Finding #5: Sanitary sewer will be provided. Preservation and protection of significant and severe slopes is required. Impacts to significant slopes (<10% grades) are limited to 50% disturbance. Development should be directed away from environmentally sensitive portions of the site to the greatest extent possible. See to comments from the Environmental Compliance Division..

Policy 1.2.1 [L]:

Land use location should be directed to areas that minimize topographical changes.

Finding #6: See comments from the Environmental Compliance Division.

Level of Service Standards

Objective 1.3[L]:

Achieve and maintain the adopted level of service standards set forth within the Tallahassee-Leon County Comprehensive Plan.

Policy 1.3.1[L]:

Before a development order or permit is issued, local government shall ensure that the adopted level of service standards for the affected public facilities will be maintained in accordance with the Concurrency Management System.

Finding #7: A Preliminary Certificate of Concurrency has been issued. Donna Nichols, P.E., with the City of Tallahassee Utilities Division must approve the utilities concept plan.

Policy 1.4.11 [L]:

The land development regulations shall include standards and criteria such as minimum open space requirements (between 25% and 10% depending on the land use and existing vegetation), internal circulation and minimum setbacks and buffers for uncomplimentary land uses. These buffer requirements will contain buffer widths between land uses, required number of trees and shrubs per linear foot of buffer, opacity of the buffer, etc.

Finding #8: The proposed buffers are consistent with this requirement and the requirements of Section 10-923 of the Land Development Code.

Policy 1.7.1 [L]:

The low density residential development pattern is intended to provide for a wide range of housing types and opportunities within the low density range. Some low density residential areas may be restricted to limited density zoning due to existing development patterns, or environmental or utility constraints, while other areas may have zoning districts that allow for a broad range of density.

Finding #9: The proposed subdivision will provide two types of housing which include townhomes and single family detached. According to a response from the applicant, the requested deviation would allow for the developer to "reduce the price of the homes and make them more affordable to lower income families..." Typically, townhome units are more affordable than single family detached residential units of a comparable size. This approach might provide more opportunity for home ownership within the community.

Objective 2.1 [L]: Residential Land Use

Enhance the livability of existing neighborhoods and new development by providing a wide choice of housing types, densities and prices, as well as, commercial opportunities based on performance criteria. The following requirements should be included but are not limited to:

- 1.) Setback requirements from wetlands and natural water bodies
- 2.) Buffering requirements
- 3.) Open space requirements
- 4.) Landscape requirements
- 5.) Tree protection
- 6.) Stormwater management requirements

Finding #10: The proposed development meets applicable buffer requirements. Refer to comments from the Environmental Compliance Division in regards to tree protection, wetland setbacks and stormwater requirements.

Transportation Element

Objective 1.1 [T]:

The impact on the natural environment and neighborhood integrity shall be evaluated prior to implementing transportation corridors and project improvements.

Finding #11: EIA approval has been granted. The applicant adjusted placement of the entrance to minimize impacts to the wetlands that cross the front of the site.

Policy 1.6.1[L]:

Emphasize land use densities and arrangements which support reduced travel demand and shorter trip lengths by promoting neighborhood parks to reduce the need for long distance transportation to recreation.

Finding #12: The layout proposes two common open areas available to residents through pedestrian access/utility easements. The common area off of Kiki Court should be revised to read, pedestrian and drainage easement. The easement will also be utilized as a drainage easement. This area is designated as HOA open space.

Policy 1.6.3 [T]:

Encourage the interconnection for vehicular and pedestrian traffic between adjacent, compatible development.

Finding #13: The most recent layout proposes a "stub-out" on the north (Lacey Lane) for future interconnection to the adjacent 22 acre parcel. This

Utilities Element:

Potable Water sub-element

Policy 1.2.5 [PW]:

New potable water service, within the Urban Service Area, shall be provided in a manner which promotes orderly, compact urban and cost efficient growth, and prevents "leapfrog" development, while optimizing the use of existing facilities.

Finding #14: The proposed "infill" development is consistent with the density and use permitted in the R-3 zoning district and Mixed Use-A Future Land Use. The development will utilize water and sewer that is/will be available to the site which is located inside the urban service area. The proposed land use and density would strengthen the residential development which surrounds it.

Sanitary Sewer sub-element

Objective 1.3 [SS]:

Needed sanitary sewer facilities will be provided in a manner which promotes orderly, compact urban and cost efficient growth while optimizing the use of existing facilities.

Finding #15: Donna Nichols, P.E. with the City Utilities Division has not given confirmation of an approved utility concept plan for the proposed layout.

Policy 1.3.1 [SS]:

Sanitary sewer service shall be provided only in the urban service area.

Finding #16: The site is located inside the USA.

Policy 2.1.3 [SS]:

Potable water service and sanitary sewer service shall be extended to serve community service customers within the USA.

Finding #17: The proposed development will be served via the City Water System.

Stormwater Management sub-element

Policy 1.1.4 [SM]:

Measures will be enacted for controlling erosion and sedimentation. No clearing, grading, cutting and filling will be allowed unless required devices are in place to control erosion and sedimentation.

Finding #18: Erosion and sedimentation controls will be addressed at the time of Environmental Permitting. Refer to comments from Environmental Compliance.

Conservation Element:

Policy 2.2.1 [C]:

Protect and conserve the natural function of wetlands by limiting wetland destruction and adverse impacts.

Finding #19: Development has been directed outside of wetlands with the exception of the entry road (Jordan's Pass Drive). This road was relocated to an area which minimized impact in accordance with Section 10-187 of the LDC. The remainder of the wetlands will be protected in a conservation easement.

Policy 3.1.7 [C]:

All development sites that contain endangered, threatened or species of special concern shall submit a management plan that must be submitted to Florida Wildlife Conservation Commission (FWCC) or other appropriate Federal, State and local government agency for review and comment prior to development approval. Recommendations from the FWCC and if applicable, other appropriate Federal, State and local government agencies shall be incorporated into the management plan.

Finding #20: The site contains gopher tortoise habitat. These species are listed as a species of special concern. A permit is required by the FWCC (and further protected by the Land Development Regulations) for relocation of any gopher tortoise burrows. Refer to comments from Leann Tanis in the NFI approval letter dated April 5, 2005, regarding protection of these species.

Policy 3.3.4 [C]:

Vegetation removal shall continue to be regulated by a permit prior to any land development activity through the land development code.

Finding #21: The proposed subdivision has been determined to be consistent with the Comprehensive Plan.

Land Development Code (LDC) issues and specific applicable regulations:

Concurrency (Section 10-140):

An application for a Certificate of Concurrency has been filed for this project. A Preliminary Certificate of Concurrency was issued on March 22, 2005 and is set to expire on August 9, 2005.

Finding #22: Sufficient capacity is available and has been reserved for this project (see expiration date above). A Final Certificate of Concurrency will be issued upon approval of this site plan by the Leon County Board of County Commissioners (LCBCC).

Article VII. Environmental Management.

Division 2. Stormwater Management

Wetlands(Section 10-187):

Code requires that existing natural topography shall be maintained within wetland areas when present. No alterations shall be made within wetland areas. Disturbance for new structures or roads located within a wetland area shall be limited to five percent (5%) of the total wetland area within the development and the road placed at the location that minimizes impact. Existing natural topography shall be maintained within wetland areas. No alterations shall be made within a wetland area to the natural fluctuation of water levels or flows unless such alterations are part of an approved stormwater detention or retention system, or unless such alterations are necessary for an approved utility system. No tree or vegetation located within a wetland or within 20 feet of the perimeter boundary of a wetland shall be removed or damaged except as permitted in accordance with Section 10-187(e)1-3. A conservation easement, or other suitable means of protection, in a form approved by the county attorney, shall be required for all on-site areas of a development which are within the jurisdictional limit of a wetland, waterbody, or natural watercourse, and for all areas which are within the perimeter of such a jurisdictional boundary plus any setback required by Section 10-346. Please refer to comments from Environmental Compliance.

Finding #23: The entry road takes into account the minimal impact requirements established in this section. Refer to comments from the Environmental Compliance Division.

Closed Basin & interbasin transfers (Section 10-188):

Runoff volumes within closed basins are regulated and excess volume may be discharged from individual sites to an approved regional detention or retention facility located within the closed basin as may be allowed under other subsections of this section. Interbasin transfer of stormwater runoff from one drainage basin to another shall only be allowed where an assessment of impact has been made to the satisfaction of the director, indicating minimal negative impacts to the receiving watershed relative to water quality, quantity and rate of discharge.

The project is located in the Lake Munson Drainage Basin and is split by the Appaloosa Watershed (West side) and the Dome Level Watershed (East side).

Finding #24: See comments from the Environmental Compliance Division.

Topographic alterations (Section 10-207):

All projects involving alteration of the contour, topography, use or vegetation cover of land, shall comply with the minimum standards within this section. According to GIS data, some areas of significant slopes occur on the eastern portion of the property.

Finding #25: Protection of slopes is proposed. Lots 11-14 have areas of significant slopes within them. Disturbance of significant slopes is limited to 50%. The applicant has received EIA approval. See comments from Environmental Compliance.

Stormwater Management Facilities (Section 10-208):

The design and construction of a stormwater management system shall be consistent with the requirements of this section and any other requirements in Article VII that apply.

Finding #26: See comments from Environmental Compliance for comments.

Division 4. Tree Protection.

Protected Trees (Section 10-292):

The site design should take trees into consideration including the placement of improvements, to lessen the impact on trees identified as "protected trees". It is the intent of the division to facilitate a holistic approach to development which incorporates trees suitable for integration into urban development, regardless of size, and which utilizes urban forest areas. This section of the code defines types of trees that are protected as well as trees which are exempt. (Also see Section 10-1534). Please provide a tree survey indicating trees that are to be protected.

Finding #27: See comments from the Environmental Compliance Division.

Division 7. Environmental Analysis Reviews.

Pre-Development Reviews(Section 10-346):

A fully approved NFI was issued (LEA 040109) which required identifying and mapping conservation areas, preservation areas, endangered or threatened species, all species of special concern, other wildlife and its habitat, protected trees, plants, existing vegetation, natural grades, environmental constraints, the 100 – year floodplain, and historic features that may be present.

An Environmental Impact Analysis (EIA) was subsequently approved with conditions (LEA050047) which provided an analysis of its impact on the natural features.

Finding #28: See comments from Environmental Compliance regarding NFI/EIA issues.

Article X. Zoning.

Division 5 and Division 9. Zoning Districts and Development Standards.

Zoning District and Development Standard Issues (Section 10-1216):

The subject property is located inside the Urban Service Area (USA) and the Mixed Use-A Future Land Use category. The parcel is zoned R-3 (Single-and-two family residential district) and allows a maximum gross density of 8 dwelling units per acre for new residential development (if sewer is made available). Single family detached and attached residential development is permissible in the R-3 zoning district.

R-3 Development Standards (Section 10-1216)

<u>Single Family Attached Setbacks (required)</u>		<u>Single Family Attached Setbacks (deviation proposed)</u>	
Front	20'	Front	18'
Side Corner	15'	Side Corner	15'
Side Interior	not applicable	Side Interior	0 and 5'*
Rear	25'	Rear	20'

*End unit setback for attached dwellings

R-3 Development Standards (Section 10-1216)

<u>Single Family Detached Setbacks (required)</u>		<u>Single Family Detached Setbacks (deviation proposed)</u>	
Front	20'	Front	18'
Side Corner	15'	Side Corner	15'
Side Interior	7.5'	Side Interior	5'
Rear	25'	Rear	20'

Note: The highlighted cells indicate instances where the requested deviation differs from the required development standards. The deviation request is included as an attachment to this report.

Other R-3 District Development Standards (10-1216)

<u>Single Family Detached (required)</u>	<u>Single Family Detached (proposed)</u>
<u>Minimum Lot or Site Area</u> 3,750 square feet end units; 2,400 square feet interior lots	<u>Minimum Lot or Site Area</u> 3,600 square feet
<u>Minimum Lot Width</u> 37.5 feet end unit; 25 feet interior lot	<u>Minimum Lot Width</u> 36 feet
<u>Minimum Lot Depth</u> 80 feet	<u>Minimum Lot Depth</u> 80 feet
<u>Maximum Bldg. Height</u> 3 stories	<u>Maximum Bldg. Height</u> 3 stories
<u>Single Family Attached (required)</u>	<u>Single Family Attached (proposed)</u>
<u>Minimum Lot or Site Area</u> 3,750 square feet end units; 2,400 square feet interior lots	<u>Minimum Lot or Site Area</u> 2,500 square feet
<u>Minimum Lot Width</u> 37.5 feet end unit; 25 feet interior lot	<u>Minimum Lot Width</u> 20 feet
<u>Minimum Lot Depth</u> 80 feet	<u>Minimum Lot Depth</u> 80 feet
<u>Maximum Bldg. Height</u> 3 stories	<u>Maximum Bldg. Height</u> 3 stories

Note: The highlighted cells indicate instances where the requested deviation differs from the required development standards. The deviation request is included as an attachment to this report.

Finding #29: The gross density proposed (4.42 units/acre) is consistent with the density permissible in the R-3 and Mixed Use A districts (8 units/acre). The applicant is proposing a deviation to adjust

the minimum lot-size and setback requirements to meet the referenced density (4.42 units per acre) and promote a more economically viable project that will add vitality to the surrounding area.

Buffer Zone Standards (Section 10-923):

According to Section 10-923, a landscaped buffer between adjacent lots is required. The types of buffers required, depends on the adjacent use and the compatibility of that adjacent use or zoning district. A Type "A" buffer on the northern perimeter of the site is required where residential development is adjacent (Durrance Property). A Type "B" landscape buffer is required along the property boundary where Poplar Ridge Unrecorded is adjacent. A Type "D" landscape buffer is required along the property line that is adjacent to the CSX right-of-way and the portion of the east end that is adjacent to the Industrial Land Use (Mitchell Bros.). The minimum width for a Type "D" landscape buffer is thirty (30) feet. All buffers are required to meet the minimum width requirements established in Section 10-923. These buffers should also be designed to comply with the Comprehensive Plan, Future Land Use Element, Objective 1.4. and policies 1.4.11, 1.4.12, and 2.1.1 (c). The use of native vegetation is preferred.

Finding #30: The pump station is indicated as having a fence. This fence must be a solid opaque fence that is sufficient in height to obstruct the view between adjoining properties. The materials used shall be consistent with the materials that will be common to the surrounding neighborhood. Include a note that the fence will be opaque and be sufficient in height to obstruct the view from adjacent properties. The rest of the buffers types proposed with the DRC submittal are consistent with the requirements mentioned above.

Division 6. Special Regulatory Districts.

Conservation/Preservation Area (Sections 10-953, 973, & 974):

The proposed development must comply with all applicable regulations pertaining to conservation and/or preservation areas (Article VII of the Leon County Land Development Code, and the Conservation and Land Use Element of the 2010 Comprehensive Plan) if the environmental analysis identifies any preservation and/or conservation areas on the subject parcel. The site and development plan must clearly indicate significant environmental features or constraints located on or adjacent to the subject property and ensure that the proposed site and development plan accommodates these features.

Finding #31: Please refer to comments from Environmental Compliance.

Division 7. Parking and Loading Requirements.

Required Parking (Section 10-1028):

Parking for residential uses is based on the number of bedrooms per unit. The off-street parking requirements for conventional single family homes is 2 spaces for 1,2, & 3 bedroom units and 3 spaces for 4 bedroom units. The parking requirements for single family attached with 2, 3 or more bedrooms, is 2.5 spaces per unit. The site and development plan demonstrates that these requirements and other requirements in Section 10-1029 have been met.

Finding #32: The parking detail provided (3 spaces per unit proposed) is consistent with the parking criteria established in Section 10-1029.

Division 8. Supplementary District Regulations.

Accessory Structures (Section 10-1102):

Any proposed or existing accessory structures must meet the requirements of this section. Section 10-1102 regulates the installation, configuration, size and use of accessory structures, and the conduct of accessory uses to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas. Any number of accessory structures may be located on a parcel, provided that all of the requirements of Section 10-1102 are met. Show any existing structures on the site and indicate if they are to be removed.

Finding #33: All accessory structures proposed must meet the requirements of this Section. There is a sewer lift station located on a tract in the northeast portion of the subdivision. This lift station shall have opaque fencing or a Type "D" landscape buffer. This will need to be reflected on the site and development plan (or noted on site plan). The land under the lift station will need to clearly indicate ownership (City of Tallahassee). Therefore, provide a note on the site plan that the stormwater tract will be deeded to the City of Tallahassee. The City Utilities Division must approve the location of the lift station and the tract that will be dedicated for it.

Article XI. Subdivision and Site and Development Plan Regulations.

Division 1. Generally.

Compliance and Consistency with Comprehensive Plan (Section 10-1407 and 10-1408):

All proposed subdivisions or development shall be designed to comply and be consistent with the Land Development Regulations and the Tallahassee-Leon County Comprehensive Plan. No subdivision shall be platted unless such subdivision meets all the applicable county ordinances, and those of any applicable laws of the state, and has been approved in accordance with the requirements in these sections.

Division 2. Subdivision Classification.

Subdivision requiring platting (Section 10-1428): (Type B minimum)

A Type "C" review (Section 10-1479) requires platting. (Also see Division 6, Plats).

Finding #34: The proposed subdivision meets the requirements for a Type "C" site plan and will require platting. See Section 10-1479.1 below.

Division 4. Procedure for Review and Approval of Site and Development Plans.

Permitted Use Verification (Section 10-1477):

The Permitted Use Verification Certificate VC-040127 was revised on 11/09/2004. The certificate indicates that the parcel is eligible for a requested 220 single family attached and detached residential subdivision on the 44.79 acres.

Finding #35: The conceptual layout proposes 198 single-family attached units and is consistent with the approved PUV and the density allowed within this zoning district.

Type "C" Review (Section 10-1479.1):

Staff has determined that the application is sufficiently complete at the required level of detail to recommend approval with conditions. The deficiencies included in this report and in the reports of the other members of the Technical Review Staff must be addressed prior before a recommendation on this project can be made. Type "C" site plans require LCBCC approval. 26

Finding #36: See a summary of all conditions of approval at the conclusion of this report.

Site and Development Plan review process, Article XI, Section 1481:

Type "C" development applications must meet submittal requirements as set forth in this section. The outstanding submittal requirements necessary for a recommendation of approval are listed below:

Finding #37: A draft copy of the proposed covenants and restrictions has not received final approval by the County Attorney. The following revisions are requested:

1. *The Declaration needs to be amended to include the provisions of Section 10-1560.1(d), (e), (f), (h), (i), (j), (k), (m), and (n), Leon County Code of Laws.*
2. *When available, we will need a copy of the articles of incorporation and bylaws, as well as the engineer's estimate of expected maintenance costs for the common areas (Sec. 10-1560.1(g), Leon County Code).*

Finding #38: A fully approved utility concept plan approved is required from the City of Tallahassee.

Site and Development Plan Criteria, Article XI, Section 10-1482:

1. Whether the applicable zoning standards and requirements have been met.
2. Whether the applicable provisions of the Environmental Management Act have been met.
3. Whether this requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

Finding #39: To demonstrate compliance with the above mentioned regulations, the applicant must address final comments and the issues and concerns from other Technical Staff (attached to this report).

Division 5. Substantive Standards and Criteria .

General layout and design standards (Section 10-1527):

The proposed plan of development and plat shall comply with the general layout and design standards referenced above. This will include streets, driveways, lots and lot designs, stormwater management areas, pedestrian and bikeways and facilities, proposed utility locations including easements, public/private street designations, utility systems, and protection of natural features. As discussed above, a Type "C" review will be required to record a final plat.

Please refer to the following sections that must be addressed:

- 10-1527(d) Access points for a development shall be designed to prevent avoidable interference with traffic flow.

Finding #40: The location of the proposed entrance was moved northward to prevent avoidable interference and minimize impacts to wetlands.

1. No development shall occur in areas where physical constraints or hazards that exist as determined by Article VII. Preservation of trees is encouraged.

Finding #41: Many of the trees are slated for removal. It is encouraged that the subdivision incorporate roadside trees into the design. See comments from Environmental Compliance.

10-1527(k) Sidewalks are required along all roads including Barineau Road.

Finding #42: Sidewalks are indicated along Barineau Road and the internal street network. In a memorandum from Tricia Gwaltney, Program Specialist LCSB, the development will have a major impact on the schools in this area. It is suggested that the development include a 6-8 feet wide sidewalk pad area at the entrance of the subdivision as a safe place for school kids to wait for buses.

10-1527(l) The following design standards apply to all streets.

1. Railroad rights-of-way, where so located as to affect the development of adjoining land, shall be treated as follows:
 - a. In residentially zoned districts, the lot depth adjacent to the railroad right-of-way shall be 25 feet more than the minimum required by Article X. No structure shall be placed within 25 feet of such lot adjacent to the railroad right-of-way.

Finding #43: Lots adjacent to the railroad right-of-way meet this minimum requirement with the inclusion of a 30' Type "D" buffer in addition to the 100 feet lot depth..

- b. No street which crosses a railroad at grade shall intersect another street within 150 feet of the railroad right-of-way.

Finding #44: The entrance (r-o-w) of the subdivision is approximately 300 feet from the railroad right-of-way.

Stormwater Management (Section 10-1528):

Swales or other nonstructural means to direct stormwater may be used in developable areas. The storm drainage and surface water drainage system used shall be installed in accordance with Article VII and other requirements and specifications of the county.

Finding #45: See comments from the Environmental Compliance Division.

Public water supply (Section 10-1529):

Potable water facilities, where required, shall be installed in accordance with standards, specifications, and policies of the county and the service provider except in the urban service area, where such facilities shall be installed in accordance with standards and specifications at least equal to those of the C.O.T. for water quality.

New potable water should be provided in the urban service area that promotes orderly, compact growth that is cost efficient by not allowing "leapfrog" development.

According to the City of Tallahassee-Leon County Water and Sewer Agreement, residential subdivisions that have greater than 20 lots a point of connection to a sewer main must exist within 1,200 feet of the development as measured and accessed via existing easements and rights-of-way. However, the City reserves the right to develop agreements with property owners and developers to make service available within time frames and at locations that vary from these criteria subject to mutual agreement between the City and the developer.

Finding #46: There is an 8" water main approximately 350 feet north of the site on Barineau Road.

Public sanitary sewer systems (Section 10-1530):

Needed sanitary sewer facilities will be provided in a manner which promotes orderly, compact urban and cost efficient growth while optimizing the use of existing facilities. According to the City of Tallahassee-Leon County Water and Sewer Agreement, residential subdivisions that have greater than 20 lots a point of connection to a sewer main must exist within 1,200 feet of the development as measured and accessed via existing easements and rights-of-way. However, the City reserves the right to develop agreements with property owners and developers to make service available within time frames and at locations that vary from these criteria subject to mutual agreement between the City and the developer.

Finding #47: It appears that a utility easement is present (OR BK 1408 PG 61) perpendicular to the north boundary of the site that is available as a means to provide connection to sewer within 1,200 feet.

General features relating to natural features (Section 10-1534):

- a) The size, shape and orientation of lots and the siting of buildings shall be designed to provide building sites logically related to protected trees, topography and natural features. (See tree protection comments above).
- b) All lots intended for use as building sites must be capable of being used safely for building purposes, without undue danger from flood or adverse soil or foundation conditions.
- c) Lots, streets and building sites shall be designed to maximize protection of natural features, protected trees, sites of historical significance, scenic views and similar assets.

Finding #48: See comments from Environmental Compliance.

General principles of design relating to impacts on nearby streets and property owners (Section 10-1535):

This section lists eleven criteria established for governing development design in order to minimize impacts on and off-site. The primary focus is to protect the health, safety and welfare of residents, structures and environmental features.

Finding #49: According to sheet 4 of the proposed site and development plan, many of the roadside trees are proposed to be removed. To comply with the design standards of this section staff encourages the applicant to incorporate roadside trees into the design of the subdivision. Please also see comments from Environmental Compliance and the preferred design alternatives at the conclusion of this report.

Requirements for developments not dedicated to the public (Section 10-1537):

A private development must establish a legal and financial entity with adequate authority and financial ability to provide maintenance of the commonly owned infrastructure improvements in perpetuity. Restrictive covenants shall be provided to prospective purchasers as specified in Section 10-1560.

Finding #50: As mentioned above, the covenants and restrictions must be revised to meet compliance with Section 10-1560. Refer to Section 10-1481 of this report to see the requested revisions to the draft covenants and restrictions.

Division 6. Plats.

No building permit shall be issued for a project that requires platting until a plat has been accepted and approved by the Board of County Commissioners and recorded in the plat books of the County.

1. A plat must be submitted not more than 36 months after the date on which the site and development plan was approved.
2. The planning or Growth Management Department shall notify the developer in writing whether the plat, as submitted, conforms to the approved site and development plan.
3. The developer or representative shall then submit the original plat to the county engineer in a manner to allow for the review of any easements, design standards, and requirements of applicable county codes.

Division 9. Deviation from Development Standards.

Criteria for granting a deviation from development standards (Section 10-1603):

The applicant is requesting a Deviation from Development Standards from the minimum requirements for building setbacks and lot or site area. The applicant has provided responses to the criteria established in Section 10-1603 required for granting a deviation:

- i. The deviation will not be detrimental to the public's health, safety or welfare or to the surrounding properties.
 - "This deviation will not be detrimental to the public's health, safety or welfare to the surrounding properties. The deviation request would facilitate the construction of the largest possible home on a small sized lot, thereby reducing the land cost associated with each lot. This will help to reduce the price of the homes and make them affordable to lower income families, therefore being beneficial to the public."
- ii. There are exceptional topographic, soil, or other environmental conditions unique to the property.
 - "The exceptional environmental development constraints affecting this property include wetlands, floodplains, and significant and severe slopes. These constraints increase the cost of the usable portion of the site, therefore driving up the price of homes. In order to keep the cost per lot at an affordable level for this area, the lots need to be made smaller. Typically, this would mean that the houses that are built on these lots are also smaller. However, if this deviation is granted, the size of the house will not be as limited. The developer can build

larger houses and offer the potential homebuyers more "house" for their money."

- iii. There are unusual conditions not normally found in the area.
 - "See previous response."
- iv. The deviation requested would provide a creative approach or innovative design alternative to substantive standards and criteria.
 - "The deviation requested would provide a creative and innovative design since homeowners would be maximizing their livable space and thus reducing the cost per square foot of the home. The goal of this development is to provide the greatest amount of livable space for the homeowner for the least amount of money. By reducing the setback, and the size of the yard, the homeowner realizes more liveable space than otherwise would have been allowed."
- v. The strict application of the requirements of this ordinance will constitute a substantial hardship to the applicant.
 - "The hardship created for the applicant by denying this deviation is that the developer would get fewer lots, would have a higher development cost to lot ratio and, therefore, would have to sell the lots for a higher price to make the development economically feasible."
- vi. The granting of the deviation is consistent with the intent and purpose of this ordinance and the comprehensive plan.
 - "The granting of this deviation is consistent with the Comprehensive Plan of Leon County because it promotes affordable modern homes constructed in an environmentally responsible manner which enhances the surrounding area."
 - "One goal of the Code is to provide adequate privacy and establish appropriate land use densities and intensities. It also calls for protecting the character of the area as well as to protect and conserve the value of land, buildings and improvements."
 - "Considering that the granting of this deviation would not affect the privacy of adjacent land owners; would not affect density or development patterns; would not be detrimental to the character of the area; and would positively affect land and home values in the area, it is consistent with the intent of the code."

Findings #51: Staff recommends approval of the deviation request based on the consistency of the requirements for granting a deviation established under Section 10-1603. The granting of the deviation would allow the applicant to maintain a more efficient density (4.42 units per acre) consistent with the permissible density (8 units per acre) of the R-3 zoning district. The request would provide for more efficient use of urban land and infrastructure (water and sewer) without contributing to sprawl. The proposed deviation would reduce the rear yard setback, as opposed to the front yard setback; maintaining a larger rear yard would provide a more "private" amenity for residents, while reducing the front setback would create a more intimate frontage and streetscape, facilitating public social interaction, pedestrian mobility, and enhancing the ability to observe the street (and deter crime). Staff would like to encourage enhancement of street frontages with street trees, lighting and wider sidewalks to facilitate pedestrian mobility.

Other Issues:

Aquifer/Wellhead Protection, Article XIV.

Division 1.

The intent and purpose of this article is to protect and maintain the quality and quantity of groundwater in the county by providing criteria for regulating the use, handling, production, storage, and disposal of regulated hazardous substances.

Finding #52: Michael Lindert of the City of Tallahassee Aquifer Protection Division granted Aquifer Protection Clearance on August 5, 2005.

Division 2. On-Site Signs (Section 10-1811):

One residential sign is permitted at each entrance of a subdivision. Residential subdivision signs shall not exceed a height of ten feet nor exceed forty square feet in area. The signage shall only contain identification of the subdivision name, no sales information is allowed.

Finding #53: According to the proposed site and development plan sheet, one sign is proposed at the entrance. The sign is located in an open area to be owned and maintained by the HOA.

School Board Recommendations:

The Leon County School Board has stated that the proposed development will have a major impact on the surrounding schools. In order to safely accommodate school children waiting for buses, the school board recommends that the developer provide a 6'-8' wide pedestrian pad at the entrance of the subdivision.

Growth and Environmental Management Department recommendation:

Growth and Environmental Management recommends *approval with conditions* of the site plan for the Jordan's Pass site and development plan consisting of a 11 page plan with project number 03-A01, prepared by Marc Phelps of Synergy Design, Inc. of Tallahassee, Florida with sheet numbers 1-11, and a revision date of August 1, 2005 {signed and sealed on September 6, 2005}. The recommendation is based on the above referenced findings and the incorporation of the following conditions into the site and development plan:

1. The common area off of Kiki Court should be revised to read: *pedestrian and drainage easement*.
2. The pump station is indicated as having a fence. Since a Type "D" buffer is not proposed, the fence must be solid and opaque with sufficient height to obstruct the view between adjoining properties. The materials used shall be consistent with the materials that will be common to the surrounding neighborhood. Include a note on the site plan that the fence will be opaque and be sufficient in height to obstruct the view from adjacent properties.
3. The covenants and restrictions must be revised to meet compliance with Section 10-1560. Refer to Section 10-1481 (Finding #37) of this report to see the requested revisions to the draft covenants and restrictions

4. The concept utility plan must be fully approved by the City of Tallahassee Utilities Division.
5. The proposed setbacks and lot sizes are subject to approval of the deviation request by the Development Review Committee (DRC). If the proposed deviation is accepted by the DRC, the site plan must list all proposed development standards (setbacks, maximum building height and minimum lot size requirements) and a note that a deviation from development standards has been granted.

Preferred Design Alternative:

Based upon the findings provided above, Development Services recommends that the following preferred design alternative be incorporated into the applicant's site and development plan:

- 1) Staff encourages that the subdivision design be enhanced to create a more intimate frontage and streetscape, facilitating public social interaction, pedestrian mobility, and enhancing the ability to observe the street (and deter crime). This enhancement can be accomplished through the use of street trees, lighting and wider sidewalks to facilitate pedestrian mobility.
- 2) Construction of a 6-8 feet wide sidewalk pad area at the entrance of the subdivision as a safe place for school kids to wait for buses;

Responses to Notification:

- 61 notices mailed
- 0 responses returned
- 1 returned as undeliverable (CSX Railroad, no physical address with tax roll)

Attachments:

- Attachment #1: *9/20/2005, memorandum from Jesse Maines, Environmental Review Specialist*
- Attachment #2: *9/21/2005, memorandum from Kim Wood, P.E., Chief of Engineering Coordination, Public Works Department*
- Attachment #3: *9/21/2005, memorandum from Sheri Baker, Planner II, TLCPD*
- Attachment #4: *PUV Certificate VC040127*
- Attachment #5: *09/09/05 Concurrency Determination Checklist from Michael Clark, Development Services Division*
- Attachment #6: *8/16/2005 request for Deviation from Development Standards by Marc Phelps with Synergy Design & Engineering, Inc. (3 pages)*
- Attachment #7: *9/19/2005 memorandum from Tricia Gwaltney, Program Specialist, Leon County School Board*

Leon County Growth & Environmental Management
Environmental Compliance

MEMORANDUM

TO: Scott Brockmeier, Planner II

FROM: Jesse Maines, Environmental Review Specialist *JM*

CC: David McDevitt

DATE: September 21, 2005

RE: **Jordan's Pass
Recommendations to DRC Regarding Final Approval of Type C Site & Development Plan
Parcel ID 22-36-20-002-000 0**

The applicant for the referenced project is seeking final DRC approval of the 11-sheet site and development plan set entitled "Jordan's Pass Type "C" Site and Development Plan Public Subdivision".

Environmental Compliance staff has completed the review of information and plans submitted for the referenced project. Staff issued Environmental Impact Analysis (EIA) Approval with Conditions on September 7, 2005. Based on the EIA Approval with Conditions and the DRC information submitted by the applicant, **staff recommends approval of the Type C site and development plan with the following conditions:**

The environmental management permit application must address the following, in addition to the information typically required:

1. The applicant shall revise the intersection of the utility & sidewalk easement and the drainage easement for the structure at the entrance (Jordan's Pass Drive) on Sheet 5 of 11 so the limits are clearly defined.
2. The applicant must provide a copy of the discharge connection approval from Public Works with the submittal for Environmental Management Permit (EMP) application.
3. The applicant must provide the Florida Fish and Wildlife Conservation Commission permit for the relocation of the onsite gopher tortoises, as part of the Listed Species Protection and Management Plan to be submitted with the EMP application.
4. The applicant must provide tree survey and debit/credit information with the EMP application. Tree debits must be offset with onsite tree credits, offsite plantings, or the monetary equivalent. {Reference Section 10-294(b)(3)}
5. The applicant must provide complete Final stormwater calculations, to include hydraflow calculations for the site conveyance system, with the EMP application.

The DRC should understand that our recommended approval with conditions is based on the revised Type C site plan set submitted to the County on September 7, 2005.

Board of County Commissioners

INTER-OFFICE MEMORANDUM

DATE: September 20, 2005

TO: Scott Brockmeier, Planner II

FROM: Kimberly A. Wood, P.E., Chief of Engineering Coordination

SUBJECT: Review of Jordan's Pass Subdivision for September 21, 2005, Development Review Committee Meeting

Public Works' conditions for approval of this review are as follows:

1. Provide note that identifies the underlying ownership of land in easement or common space outside of lots or dedicated right of way.
2. Provide note that the developer will be responsible for all costs associated with County installation of signs and pavement markings.
3. This is shown to be a Public Subdivision, however the narrative states that it will be privately maintained. Please clarify, however it should be approved has a Public subdivision.
4. Clearly delineate, preferably with leader arrows the limits of the SWMF.
5. Provide dimensions on the hammerhead turn around on the north end of Lacey Lane.
6. Label all easements on Sheet 5, "Site and Development Plan"
7. Sheet 6 is not consistent with sheets 5 & 7, regarding the labeling of the access to the SWMF. The note on Sheet 7 showing that this are will be dedicated to the County should be mirrored on sheet 6.
8. Identify the two irregularly shaped areas show in the southeast corner of the SWMF.
9. Note: All sidewalks must be built to ADA standards.

TICPD

MEMORANDUM

*Tallahassee-Leon County
Planning Department*

TO: Scott Brockmeier, Leon County Department of Community Development
FROM: Sherri Baker, Senior Planner
Tallahassee-Leon County Planning Department
THROUGH: Roxanne Manning, Land Use Division Supervisor
Tallahassee-Leon County Planning Department
DATE: September 16, 2005
SUBJECT: Jordan's Pass Type C – September 21, 2005 DRC Meeting

APPLICANT : Monte Cristo of Tallahassee, Inc.
AGENT: Synergy Design & Engineering, Inc.
PARCEL ID: 22-36-20-002-000-0
ZONING: R-3
FUTURE LAND USE: Mixed Use A

Findings:

- 1) The project is a proposed 198-unit single-family attached/detached residential subdivision of 47.39 acres. The property is located on the east side of Barineau Road, north of the CSX railroad, approximately .60 miles south of US 90.
- 2) The proposed development calls for a density of 4.17 dwelling units per acre. The R-3 zoning district allows densities of up to 8 dwelling units per acre.
- 3) Transportation Objective 1.6 of the Tallahassee-Leon County Comprehensive Plan encourages interconnection of adjacent, compatible development, particularly where it has the potential to reduce trips on collectors and arterials. The applicant shows a stub out of Lacey Lane to the north, which is consistent with Objective 1.6.
- 4) Unless otherwise noted, the proposed application appears consistent with the applicable sections of the *Tallahassee-Leon County Comprehensive Plan*.

Preferred Design Alternatives

Due to the compact nature of the lots, the Planning Department strongly recommends the applicant use joint drives to place parking & garages to the rear of the homes, rather than in front along the street. This will result in greater pedestrian safety, and will avoid rows of garages and cars.

Deviation Request

The application includes a request for a deviation from the development standards of Section 10-1216. The deviations are outlined in the following chart.

	Single Family Detached		Single Family Attached	
	Required	Proposed	Required	Proposed
4. Minimum Lot or Site size				
a. Lot or Site Area	5,000 s.f.	3,600 s.f.	3,750 s.f. end unit 2,400 s.f. interior unit	2,500 s.f. end unit*
b. Lot Width	50 ft.	36 ft.	37.5 ft. end unit 25 ft. interior unit	20 ft. end unit*
c. Lot Depth	100 ft.	100 ft.	80 ft.	80 ft.
5. Minimum Building Setbacks				
a. Front	20 ft.	18 ft.	20 ft.	18 ft.
b. Side-Interior Lot	7.5 ft.	5 ft.	N/A	0 and 5 ft.**
c. Side Corner Lot	15 ft.	15 ft.	15 ft.	15 ft.
d. Rear	25 ft.	20 ft.	25 ft.	20 ft.

* Only duplex style townhouses are proposed so there are no interior units.

** Duplex style townhouses have no side-interior setback on the common wall and five feet on the exterior sidewall.

Deviation Request Recommendation

The Department recommends approval of the deviation requests based on §10-1603, specifically, (i) and (vi), on the condition garages and parking be placed in the rear of the homes.

Recommendation

The Planning Department recommends approval of this application.

Attachment # 4Page 1 of 1

LEON COUNTY
PERMITTED USE VERIFICATION
CERTIFICATE NUMBER: VC040127

Attachment # 3Page 24 of 30**ISSUED TO:**

Name: MARC C. PHELPS, P. E. Phone #: 850-942-2909
 Address: 2811-E INDUSTRIAL PLAZA DRIVE TALLAHASSEE, FL. 32301

Project Acreage: 47.39

Zoning District:

Parcel Tax ID#: 2236200020000

Post-it* Fax Note	7671	Date	10/29	# of pages	1
To	Marc Phelps	From	Dev. Serv.		
Co./Dept		Co.			
Phone #		Phone #	488-9300		
Fax #	402-7674	Fax #			

220 UNIT SUBDIVISION**-----COMMENTS-----**

1: The 44.79 acre parcel is eligible for a 220 unit single family detached and single family attached subdivision. The parcel is inside the Urban Service Area (USA), as well as the Mixed Use - A Future Land Use designation. The parcel is zoned R-3 (single and two family residential district) (Article XI, Division 9, Section 10-1216 of the Leon County Land Development Regulations). The R-3 zoning district allows a maximum gross density of 8 dwelling units per acre if water and sewer are available. If water and sewer are not available to the site, the development is limited to 1/2 acre buildable area lots (not including streets, utility easements or other lands included in conservation/preservation easements. The requested application is consistent with this requirement; proposing a gross density of approximately 4.91 units per acre. According to Section 1479.1, the requested 220 lot subdivision will require a Type "C" review which requires approval from the Development Review Committee (DRC) and upon receipt of the recommended order from the hearing officer, a final decision is made by the Board of County Commissioners. This parcel is subject to the Tallahassee-Leon County Water and Sewer Agreement. If water and sewer are available within 1,000 feet of the site, connection is required.

According to Section 10-923, Buffer Zone Standards, a Type "D" landscape buffer is required along the southern property boundary (Seaboard Coast Line R.R.). A Type "A" landscape buffer is required along the entire northern property boundary that is adjacent to parcel 410 and the Poplar Ridge subdivision. A Type "A" landscape buffer is required along the eastern property line.

A subdivision and every lot therein, shall have legal access to a publicly dedicated street. Legal access shall mean the right, created by fee simple ownership, insurable right of access, deed, or recorded easement recorded in the public records providing for perpetual ingress to and egress rights from the premises to a publicly dedicated street.

According to G.I.S. (Geographical Information Systems) data, the property appears to be constrained in some areas by environmental features. Wetlands (10-187) flank the property on the northwest, south and northeasterly portions. G.I.S. data also confirms that there is an area in the northeast quadrant of the property that contains a waterbody, significant slopes (10%-20%), and land within the 100-year floodplain. A Natural Features Inventory (NFI) (Section 10-346) is required for this project and will need approval prior to scheduling a Technical Review meeting. The parcel lies within the Dome Level and Apalachee Watersheds and the Lake Munson Drainage Basin.

-----CONDITIONS-----

Subject to the following sequence of reviews and required approvals:

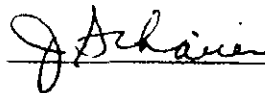
Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivision Procedures and Information Manual for the Process identified above:

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2010 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2010 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting as against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Status: **ELIGIBLE**

Date Approved: 10/27/2004



Development Services Division
 Leon County Community Development

23

LEON COUNTY
Growth and Environmental Management
Concurrency Determination Checklist

PROJECT NAME: Jordan's Pass Subdivision
Parcel I.D. # 22-36-20-002-000-0 **Date:** 09/09/05
Applicant/Agent's Name: Monte Cristo of Tallahassee/Synergy Design & Engineering

A. Review of the Application for Concurrency Determination and Provided Site Plan (Sec. 5.2):	<u>Yes</u>	<u>No</u>	<u>Comments</u>
* Is the Concurrency Review Site Plan complete?	X		Application is sufficient for review.
* Project Narrative Provide?	X		32 Single Family Detached Units and 166 Single Family Attached Units.
* Project Timeline Provided?	X		Build out date: 24 months after approval.
* Will this Project be designated a Large Project?	X		Yes; Traffic Impact Analysis is provided
B. Review of Projected Traffic Impacts (Sec. 6.2.1)			
* Does the submitted Traffic Impact Analysis meet application standards (<i>Large Projects Only</i>)?	X		TIA was sufficient for review.
* Is the internal capture rate balanced (multi-use projects only)?			Not applicable; single use project.
* Is the Pass-By Capture Rate Valid?			Not applicable; residential project.
* Identify PTIN Segments: Available Capacity?		X	<u>Segment 90051 Aenon Church Road: Gum to Blountstown Hwy—insufficient project; However, project will not significantly impact this segment.</u>
* Non PTIN Segments impacted: Available Capacity?	X		Sufficient Capacity exists on Non-PTIN Segments.
* Any Roadway Improvements Scheduled in the impact area of the project?	X		Installation of traffic signal at Aenon Church & Tennessee Street; Possible installation of traffic signal at Geddie Road associated with Gardens @ Westlake PUD.
* Potential Conflict Points?	X		Significant impact to Barineau Road is expected. Applicant is providing an interconnection to the north.
* Is the traffic circulation plan efficient?	X		Plan is sufficient for the constraints associated with the project (size, shape, environmental conditions require cul-de-sacs).

	<u>Yes</u>	<u>No</u>	<u>Comments</u>
* Will the nearby intersections continue to operate at adopted standards?	X		Intersections of Barineau at Tennessee and Blountstown Hwy will continue to operate at adopted standards.
* Is any mitigation required?		X	Project is expected to meet concurrency standards.
C. Water/Sewer/Solid Waste/Recreational Facilities/Mass Transit			
* Water Service (Sec. 6.3.0)?	X		City Water
* Sewer Service Provided (Sec. 6.4.0)?	X		City Sewer
* Pounds of Solid Waste Reserved (Sec. 6.5.0)	X		654,279 lbs of solid waste
* Acres of Boat Ramps Reserved (Sec. 6.6.2)?	X		0.0834 acres of boat ramps
* Mass Transit Service Available (Sec. 6.8.0)?		X	Mass Transit is currently not available; applicant is encouraged to include transit infrastructure.
D. Other Issues:			
* Is the project of significant size or location to require City GM approval?		X	Project is not expected to significantly impact City of Tallahassee segments
* Are there multi-modal facilities or other TDM strategies available for this project?	X		Not required; However, applicant is encouraged to promote non-motorized travel by dedicated passive recreation facilities and help to facilitate the Bike/Ped Master Plan

Concurrency Management Section Comments:
No additional comments.

SYNERGY

DESIGN & ENGINEERING, INC.

August 10, 2005

Development Review Committee
Leon County Growth & Environmental Management
3401 West Tharpe Street
Tallahassee, Florida 32303

**Re: Jordan's Pass
Request for Deviation from Development Standards**

Dear Committee Members,

A request for Deviation from Development Standards is being made for the Jordan's Pass subdivision. This request relates to the Development Standards in "Section 10-1216 R-3 single- and two-family residential district" for both Single Family Attached and Detached Minimum Building Setbacks (a. Front, b. Side-Interior Lot, c. Side-Corner Lot and d. Rear) and Minimum Lot or Site Area (a. Lot or Site Area, b. Lot Width). The following table shows the required and the proposed standards:

	Single Family Detached		Single Family Attached	
	Required	Proposed	Required	Proposed
4. Minimum Lot or Site Size				
a. Lot or Site Area	5,000 s.f.	3,600 s.f.	3,750 s.f. end unit; 2,400 s.f. interior unit	2,500 s.f. end unit *
b. Lot Width	50 ft.	36 ft.	37.5 ft. end unit; 25 ft. interior unit	20 ft. end unit *
c. Lot Depth	100 ft.	100 ft.	80 ft.	80 ft.
5. Minimum Building Setbacks				
a. Front	20 ft.	18 ft.	20	18 ft.
b. Side-Interior Lot	7.5 ft.	5 ft.	n/a	0 and 5 ft. **
c. Side Corner Lot	15 ft.	15 ft.	15 ft.	15 ft.
d. Rear	25 ft.	20 ft.	25 ft.	20 ft.

* Only Duplex style townhouses are proposed so there are no interior units.

** Duplex style townhouses have no Side-Interior Setback on the common wall and five feet on the exterior side wall.

The following is demonstration that the criteria for granting this deviation have been met:

- (i) *The deviation will not be detrimental to the public's health, safety, or welfare or to the surrounding properties; and*

Response:

This deviation will not be detrimental to the public's health, safety, or to surrounding properties. This deviation will facilitate the construction of the largest possible home on a small sized lot, thereby reducing the land cost associated with each lot. This will help to reduce the price of the homes and make them affordable to lower income families, therefore being beneficial to the public.

Also, the proposed density of this subdivision is 4.1 units per acre which is significantly less than the allowed 8 units per acre. This is a benefit to the public health and welfare of the surrounding area.

Additionally, this development will be the most modern development in the vicinity. This will have a positive impact on the surrounding area by raising property and home values. This development will improve adjacent properties by extending sanitary sewer into the area.

- (ii) *There are exceptional topographic, soil, or other environmental conditions unique to the property; or*

Response:

The exceptional environmental development constraints affecting this property include wetlands, floodplains, and significant and severe slopes. These constraints increase the cost of the usable portion of the site, therefore driving up the price of the homes. In order to keep the cost per lot at an affordable level for this area, the lots need to be made smaller. Typically, this would mean that the houses that are built on these lots are also smaller. However, if this deviation is granted, the size of the house will not be as limited. The developer can build larger houses and offer the potential homebuyers more "house" for their money.

- (iii) *There are unusual conditions which are not ordinarily found in the area; or*

Response:

See Previous Response

- (iv) *The deviation requested would provide a creative or innovative design alternative to substantive standards and criteria; or*

Response:

This deviation would provide a creative and innovative design since homeowners would be maximizing their livable space and thus reducing their per square-foot cost of the home. The goal of this development is to provide the greatest amount of livable space for the homeowner for the least amount of money. By reducing the setback, and the size of the yard, the homeowner realizes more livable space than otherwise would've been allowed.

- (v) *The strict application of the requirements of this ordinance will constitute a substantial hardship to the applicant; and,*

Response:

The hardship created for the Applicant by denying this deviation is that the Developer would get fewer lots, would have a higher development cost to lot ratio and, therefore, would have to sell the lots for a higher price to make the development economically feasible.

- (vi) *The granting of the deviation is consistent with the intent and purpose of this ordinance and the comprehensive plan.*

Response:

The granting of this deviation is consistent with the Comprehensive Plan of Leon County because it promotes affordable modern homes constructed in an environmentally responsible manner which enhances the surrounding area.

One goal of the Code is to provide adequate privacy and establish appropriate land use densities and intensities. It also calls for protecting the character of the area as well as to protect and conserve the value of land, buildings, and improvements.

Considering that the granting of this deviation would not affect the privacy of adjacent land owners; would not affect density or development patterns; would not be detrimental to the character of the area; and would positively affect land and home values in the area, it is consistent with the intent of the Code.

Should you have any questions or comments, please feel free to give me a call.

Sincerely,



Marc C. Phelps, P.E.
President

36

S:\AAP\Projects\03-A01 Barineau\Correspondance\Deviation Request.doc

SYNERGY DESIGN & ENGINEERING, INC.

CA No. 26437

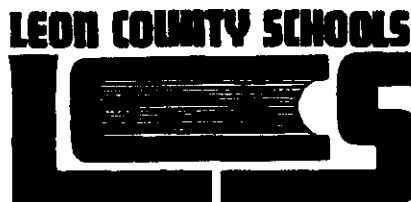
2811-E INDUSTRIAL PLAZA DRIVE, TALLAHASSEE, FLORIDA 32301

PHONE: 850-942-2909 FAX: 850-402-7674

Attachment # 7
Page 1 of 1

BOARD CHAIR
Sheila Costigan

BOARD VICE-CHAIR
H. Fred Varn



Attachment # 3
Page 30 of 30

BOARD MEMBERS
Georgia "Joy" Bowen
Dee Crumpler
Maggie B. Lewis

SUPERINTENDENT
William J. Montford, III

September 19, 2005

Leon County Development
Review Committee
3401 W. Tharpe Street
Tallahassee, FL 32303

Dear Committee Members:

Leon County Schools' Planning Department offers the following comments with regard to the items on the September 21 Development Review Committee Meeting Agenda:

Bradfordville Commercial Center – Type "B" – No impact to Leon County Schools.

Jordan's Pass – Type "C" – Development of this parcel (198 units) is anticipated to have major impact to Leon County Schools. Currently, the school zones for this property are Sabal Palm Elementary, Belle Vue Middle and Godby High schools. It is recommended that a wider sidewalk (6-8 feet) be built at the entrance of the subdivision for students to wait for busses. All three schools are under capacity and have some room for student growth. However, a subdivision of this size may cause the schools to become over the class size reduction capacity.

Thank you for your consideration.

Sincerely,

Tricia Gwaltney, Program Specialist
Planning and Policy Development
487-7257